

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Keri A Burgwin
Debtor(s)

Bankruptcy Case No.: 18-23000-GLT
Issued Per 2/28/2019 Proceeding
Chapter: 13
Docket No.: 35 - 17
Concil. Conf.: February 28, 2019 at 01:00 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated 8/16/2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,065.00 as of March, 2019. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Feb. 28, 2019 at 01:00 PM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Claim No. 1 of Clairton City and School District, Claim No. 18 of City of Clairton and City of Clairton EIT, Claim No. 19 of Clairton City and School District and Claim No. 17 of Bank of NY Mellon .
- ☒ H. Additional Terms: The secured claim(s) of the following Creditor(s) shall govern as to claim amount, to be paid at the modified plan terms: Claim No. 1 of Byrider Finance.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: March 1, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 6
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Keri A Burgwin
 Debtor

Case No. 18-23000-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
 Form ID: 149

Page 1 of 3
 Total Noticed: 53

Date Rcvd: Mar 01, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 03, 2019.

db +Keri A Burgwin, 743 Horton St, Clairton, PA 15025-1321
 cr +Clairton City & Clairton City School District, Goehring, Rutter & Boehm,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219,
 UNITED STATES 15219-6101
 cr +Clairton City School District, Goehring, Rutter & Boehm, 437 Grant Street, 14th Floor,
 Frick Building, Pittsburgh, PA 15219, UNITED STATES OF AMERICA 15219-6101
 cr +Clairton School District, 501 Waddell Avenue, Clairton, PA 15025-1597
 14892482 ++AMERICREDIT FINANCIAL SERVICES DBA GM FINANCIAL, PO BOX 183853, ARLINGTON TX 76096-3853
 (address filed with court: Americredit Financial Services, Inc., Dba GM Financial,
 P.O Box 183853, Arlington, TX 76096)
 14888353 +Aes/pheaa-keycon, Pob 61047, Harrisburg, PA 17106-1047
 14888354 +Aes/pheaafrn, Po Box 61047, Harrisburg, PA 17106-1047
 14934605 +Bank of Missouri, PO Box 89725, Sioux Falls, SD 57109-9725
 14931319 +City of Clairton & Clairton City School District, Goehring, Rutter & Boehm,
 c/o Jeffrey R. Hunt, Esquire, 437 Grant Street, 14th Floor, Frick Building,
 Pittsburgh, PA 15219-6101
 14931326 +Clairton City School District, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101
 14900009 +Clairton School District, C/O McGrail & Associates, 1714 Lincoln Way,
 McKeesport, PA 15131-1716
 14900010 +Clariton City, C/O Keystone Collectors, 546 Wendel Road, Irwin, PA 15642-7539
 14888357 +Coll Svc Ctr, 250 Mt Lebanon Blvd, Pittsburgh, PA 15234-1252
 14920911 Directv, LLC, by American InfoSource as agent, PO Box 5008, Carol Stream, IL 60197-5008
 14900017 +Ditech, PO Box 979282, Miami, FL 33197-9282
 14888363 +Dpt Treasury, 3700 East West Highway, Hyattsville, MD 20782-2092
 14888365 +Fst Premier, 601 S Minnesota Ave, Sioux Falls, SD 57104-4824
 14888366 +Gm Financial, Po Box 181145, Arlington, TX 76096-1145
 14939659 +Keystone Collections Group, 546 Wendel Road, Irwin, PA 15642-7539
 14914179 +Nordstrom, Inc., Jefferson Capital Systems LLC Assignee, Po Box 7999,
 Saint Cloud Mn 56302-7999
 14904731 +PHEAA, PO Box 8147, Harrisburg, PA 17105-8147
 14913115 +Pendrick Capital Partners II, LLC, PO BOX 141419, IRVING, TX 75014-1419
 14888369 +Pitt Ctr Fcu, P.o. Box 9727, Pittsburgh, PA 15229-0727
 14888371 +Receivable Management, 240 Emery St, Bethlehem, PA 18015-1980
 14888372 +Salute, Pob 105555, Atlanta, GA 30348-5555
 14888373 #+Security Credit Serv, 2653 W Oxford Loop, Oxford, MS 38655-5442
 14888375 +Thom/total Crd, 5109 S Broadband Ln, Sioux Falls, SD 57108-2208

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/Text: bankruptcy.bnc@ditech.com Mar 02 2019 03:37:53 Ditech Financial LLC,
 PO Box 0049, Palatine, IL 60055-0001
 cr +E-mail/Text: kborkley@bernsteinlaw.com Mar 02 2019 03:39:22 Duquesne Light Company,
 c/o Bernstein-Borkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 14919843 +E-mail/Text: g20956@att.com Mar 02 2019 03:39:12 AT&T Mobility II LLC,
 %AT&T SERVICES INC., KAREN A. CAVAGNARO PARALEGAL, ONE AT&T WAY, SUITE 3A104,
 BEDMINSTER, NJ. 07921-2693
 14924343 E-mail/PDF: resurgentbknofications@resurgent.com Mar 02 2019 03:42:56
 Ashley Funding Services, LLC its successors and, assigns as assignee of Laboratory,
 Corporation of America Holdings, Resurgent Capital Services, PO Box 10587,
 Greenville, SC 29603-0587
 14916369 +E-mail/Text: bnc@atlasacq.com Mar 02 2019 03:37:37 Atlas Acquisitions LLC, 294 Union St.,
 Hackensack, NJ 07601-4303
 14888355 E-mail/Text: bankruptcy.notifications@bcu.org Mar 02 2019 03:39:05 Baxter Credit Union,
 340 N Milwaukee Ave, Vernon Hills, IL 60061
 14900008 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Mar 02 2019 03:41:59 Capital One,
 PO Box 30281, Salt Lake City, UT 84130-0281
 14888356 +E-mail/Text: bankruptcy@jdbyrider.com Mar 02 2019 03:39:32 Cnac - In101,
 12802 Hamilton Crossing, Carmel, IN 46032-5424
 14888358 +E-mail/Text: bankruptcy@consumerportfolio.com Mar 02 2019 03:38:51 Consumer Portfolio Svc,
 Po Box 57071, Irvine, CA 92619-7071
 14888359 +E-mail/Text: bankruptcy.notifications@ccsusa.com Mar 02 2019 03:39:31 Credit Coll,
 725 Canton St, Norwood, MA 02062-2679
 14888360 +E-mail/Text: bankruptcy_notifications@ccsusa.com Mar 02 2019 03:39:31
 Credit Collection Serv, 725 Canton St, Norwood, MA 02062-2679
 14888361 +E-mail/PDF: creditonebknofications@resurgent.com Mar 02 2019 03:42:56 Credit One Bank Na,
 Po Box 98872, Las Vegas, NV 89193-8872
 14888362 +E-mail/Text: bankruptcyntices@dcicollect.com Mar 02 2019 03:39:10 Diversified Consultant,
 10550 Deerwood Park Blvd, Jacksonville, FL 32256-0596
 14888364 +E-mail/Text: bknotice@ercbpo.com Mar 02 2019 03:38:44 Enhanced Recovery Co L,
 8014 Bayberry Rd, Jacksonville, FL 32256-7412
 14920806 E-mail/PDF: resurgentbknofications@resurgent.com Mar 02 2019 03:42:30
 LVNV Funding, LLC its successors and assigns as, assignee of MHC Receivables, LLC and,
 FNBM, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587

District/off: 0315-2

User: dbas
Form ID: 149

Page 2 of 3
Total Noticed: 53

Date Rcvd: Mar 01, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14888367 +E-mail/Text: bkr@cardworks.com Mar 02 2019 03:37:25 Merrick Bk, Po Box 9201,
Old Bethpage, NY 11804-9001
14900023 +E-mail/Text: clove@microf.com Mar 02 2019 03:39:34 Microf, PO Box 70085,
Albany, GA 31708-0085
14888368 +E-mail/Text: bnc@nordstrom.com Mar 02 2019 03:37:46 Nordstrom/td Bank Usa,
13531 E Caley Ave, Englewood, CO 80111-6504
14888830 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Mar 02 2019 03:42:52
PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14888370 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Mar 02 2019 03:42:04
Portfolio Recov Assoc, 120 Corporate Blvd Ste 1, Norfolk, VA 23502-4952
14913364 +E-mail/Text: JCAP_BNC_Notices@jcap.com Mar 02 2019 03:38:56 Premier Bankcard, Llc,
Jefferson Capital Systems LLC Assignee, Po Box 7999, Saint Cloud Mn 56302-7999
14900030 E-mail/Text: appebnmailbox@sprint.com Mar 02 2019 03:38:29 Sprint, PO Box 7949,
Overland Park, KS 66207
14888374 +E-mail/PDF: gecsed@recoverycorp.com Mar 02 2019 03:41:54 Synch/jcp, Po Box 965007,
Orlando, FL 32896-5007
14927004 E-mail/Text: bankruptcy.bnc@ditech.com Mar 02 2019 03:37:53
The Bank of New York Mellon Trust Company, N.A., c/o Ditech Financial LLC, PO Box 6154,
Rapid City, SD 57709-6154
14888376 +E-mail/Text: marisa.sheppard@timepayment.com Mar 02 2019 03:38:50 Timepayment Corp,
1600 District Ave Ste 20, Burlington, MA 01803-5233
14888377 +E-mail/Text: wfmelectronicbankruptcynotifications@verizonwireless.com Mar 02 2019 03:37:28
Verizon, Po Box 650584, Dallas, TX 75265-0584

TOTAL: 26

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Ditech Financial LLC as servicer for The Bank of N
cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14900006* +Aes/pheaafrn, Po Box 61047, Harrisburg, PA 17106-1047
14900007* +BAXTER CREDIT UNION, COLLECTION DEPARTMENT, PO BOX 8133, VERNON HILLS IL 60061-8133
(address filed with court: Baxter Credit Union, 340 N Milwaukee Ave,
Vernon Hills, IL 60061)
14900011* +Chac - Inl01, 12802 Hamilton Crossing, Carmel, IN 46032-5424
14900012* +Coll Svc Ctr, 250 Mt Lebanon Blvd, Pittsburgh, PA 15234-1252
14900013* +Consumer Portfolio Svc, Po Box 57071, Irvine, CA 92619-7071
14900014* +Credit Coll, 725 Canton St, Norwood, MA 02062-2679
14900015* +Credit Collection Serv, 725 Canton St, Norwood, MA 02062-2679
14900016* +Credit One Bank Na, Po Box 98872, Las Vegas, NV 89193-8872
14900018* +Diversified Consultant, 10550 Deerwood Park Blvd, Jacksonville, FL 32256-0596
14900019* +Dpt Treasury, 3700 East West Highway, Hyattsville, MD 20782-2092
14900020* +Enhanced Recovery Co L, 8014 Bayberry Rd, Jacksonville, FL 32256-7412
14900021* +Fst Premier, 601 S Minnesota Ave, Sioux Falls, SD 57104-4824
14900022* +Gm Financial, Po Box 181145, Arlington, TX 76096-1145
14900024* +Nordstrom/td Bank Usa, 13531 E Caley Ave, Englewood, CO 80111-6504
14900025* +Pitt Ctr Fcu, P.o. Box 9727, Pittsburgh, PA 15229-0727
14900026* +Portfolio Recov Assoc, 120 Corporate Blvd Ste 1, Norfolk, VA 23502-4952
14900027* +Receivable Management, 240 Emery St, Bethlehem, PA 18015-1980
14900028* +Salute, Pob 105555, Atlanta, GA 30348-5555
14900029* +Security Credit Servic, 2653 W Oxford Loop, Oxford, MS 38655-5442
14900031* +Synch/jcp, Po Box 965007, Orlando, FL 32896-5007
14900032* +Thom/total Crd, 5109 S Broadband Ln, Sioux Falls, SD 57108-2208
14900033* +Timepayment Corp, 1600 District Ave Ste 20, Burlington, MA 01803-5233
14900034* +Verizon, Po Box 650584, Dallas, TX 75265-0584

TOTALS: 1, * 24, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court
immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 03, 2019

Signature: /s/Joseph Speetjens

District/off: 0315-2

User: dbas
Form ID: 149

Page 3 of 3
Total Noticed: 53

Date Rcvd: Mar 01, 2019

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 1, 2019 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Ditech Financial LLC as servicer for The Bank of New York Mellon Trust Company, N.A., as Indenture Trustee of the GMACM bkgroup@kmlawgroup.com
Jeffrey Dallas Ries on behalf of Creditor Clairton School District jries@plmoffice.com
Jeffrey R. Hunt on behalf of Creditor Clairton City School District jhunt@grblaw.com, cnoroski@grblaw.com
Jeffrey R. Hunt on behalf of Creditor Clairton City & Clairton City School District jhunt@grblaw.com, cnoroski@grblaw.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com, DMcKay@bernsteinlaw.com
Lawrence W. Willis on behalf of Debtor Keri A Burgwin ecf@westernpabankruptcy.com, urfreshstrt@gmail.com
Office of the United States Trustee ustpreregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 8